

SENATE RESOLUTION 103—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF STEVE SCHONBERG V. SENATOR MITCH MCCONNELL, ET AL

Mr. REID of Nevada submitted the following resolution; which was considered and agreed to:

S. RES. 103

Whereas, Senator Mitch McConnell, Vice President Joseph R. Biden, Jr., and Sergeant at Arms Terrance W. Gainer have been named as defendants in the case of Steve Schonberg v. Senator Mitch McConnell, et al., No. 3:13-cv-220, now pending in the United States District Court for the Western District of Kentucky;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members and officers of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Mitch McConnell, Vice President Joseph R. Biden, Jr., and Sergeant at Arms Terrance W. Gainer in the case of Steve Schonberg v. Senator Mitch McConnell, et al.

AMENDMENTS SUBMITTED AND PROPOSED

SA 734. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table.

SA 735. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 736. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID of NV to the bill S. 649, supra; which was ordered to lie on the table.

SA 737. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID of NV to the bill S. 649, supra; which was ordered to lie on the table.

SA 738. Ms. LANDRIEU (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 649, supra; which was ordered to lie on the table.

SA 739. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 734. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—NATIONAL COMMISSION ON MASS VIOLENCE

SEC. 401. SHORT TITLE.

This title may be cited as the "National Commission on Mass Violence Act of 2013".

SEC. 402. NATIONAL COMMISSION ON MASS VIOLENCE.

(a) **ESTABLISHMENT OF COMMISSION.**—There is established a commission to be known as the National Commission on Mass Violence (in this title referred to as the "Commission") to study the availability and nature of firearms, including the means of acquiring firearms, issues relating to mental health, and all positive and negative impacts of the availability and nature of firearms on incidents of mass violence or in preventing mass violence.

(b) **MEMBERSHIP.**—

(1) **APPOINTMENTS.**—The Commission shall be composed of 12 members, of whom—

(A) 6 members of the Commission shall be appointed by the Majority Leader of the Senate, in consultation with the Democratic leadership of the House of Representatives, 1 of whom shall serve as Chairman of the Commission; and

(B) 6 members of the Commission shall be appointed by the Speaker of the House of Representatives, in consultation with the Republican leadership of the Senate, 1 of whom shall serve as Vice Chairman of the Commission.

(2) **PERSONS ELIGIBLE.**—

(A) **IN GENERAL.**—The members appointed to the Commission shall include—

(i) well-known and respected individuals among their peers in their respective fields of expertise; and

(ii) not less than 1 non-elected individual from each of the following categories, who has expertise in the category, by both experience and training:

(I) Firearms.

(II) Mental health.

(III) School safety.

(IV) Mass media.

(B) **EXPERTS.**—In identifying the individuals to serve on the Commission, the appointing authorities shall take special care to identify experts in the fields described in section 403(a)(2).

(C) **PARTY AFFILIATION.**—Not more than 6 members of the Commission shall be from the same political party.

(3) **COMPLETION OF APPOINTMENTS; VACANCIES.**—Not later than 30 days after the date of enactment of this Act, the appointing authorities under paragraph (1) shall each make their respective appointments. Any vacancy that occurs during the life of the Commission shall not affect the powers of the Commission, and shall be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

(4) **OPERATION OF THE COMMISSION.**—

(A) **MEETINGS.**—

(i) **IN GENERAL.**—The Commission shall meet at the call of the Chairman.

(ii) **INITIAL MEETING.**—The initial meeting of the Commission shall be conducted not later than 30 days after the later of—

(I) the date of the appointment of the last member of the Commission; or

(II) the date on which appropriated funds are available for the Commission.

(B) **QUORUM; VACANCIES; VOTING; RULES.**—A majority of the members of the Commission shall constitute a quorum to conduct business, but the Commission may establish a lesser quorum for conducting hearings scheduled by the Commission. Each member of the Commission shall have 1 vote, and the vote of each member shall be accorded the same weight. The Commission may establish by majority vote any other rules for the conduct of the Commission's business, if such rules are not inconsistent with this title or other applicable law.

SEC. 403. DUTIES OF THE COMMISSION.

(a) **STUDY.**—

(1) **IN GENERAL.**—It shall be the duty of the Commission to conduct a comprehensive fac-

tual study of incidents of mass violence, including incidents of mass violence not involving firearms, in the context of the many acts of senseless mass violence that occur in the United States each year, in order to determine the root causes of such mass violence.

(2) **MATTERS TO BE STUDIED.**—In determining the root causes of these recurring and tragic acts of mass violence, the Commission shall study any matter that the Commission determines relevant to meeting the requirements of paragraph (1), including at a minimum—

(A) the role of schools, including the level of involvement and awareness of teachers and school administrators in the lives of their students and the availability of mental health and other resources and strategies to help detect and counter tendencies of students towards mass violence;

(B) the effectiveness of and resources available for school security strategies to prevent incidents of mass violence;

(C) the role of families and the availability of mental health and other resources and strategies to help families detect and counter tendencies toward mass violence;

(D) the effectiveness and use of, and resources available to, the mental health system in understanding, detecting, and countering tendencies toward mass violence, as well as the effects of treatments and therapies;

(E) whether medical doctors and other mental health professionals have the ability, without negative legal or professional consequences, to notify law enforcement officials when a patient is a danger to himself or others;

(F) the nature and impact of the alienation of the perpetrators of such incidents of mass violence from their schools, families, peer groups, and places of work;

(G) the role that domestic violence plays in causing incidents of mass violence;

(H) the effect of depictions of mass violence in the media, and any impact of such depictions on incidents of mass violence;

(I) the availability and nature of firearms, including the means of acquiring such firearms, and all positive and negative impacts of such availability and nature on incidents of mass violence or in preventing mass violence;

(J) the role of current prosecution rates in contributing to the availability of weapons that are used in mass violence;

(K) the availability of information regarding the construction of weapons, including explosive devices, and any impact of such information on such incidents of mass violence;

(L) the views of law enforcement officials, religious leaders, mental health experts, and other relevant officials on the root causes and prevention of mass violence;

(M) incidents in which firearms were used to stop mass violence; and

(N) any other area that the Commission determines contributes to the causes of mass violence.

(3) **TESTIMONY OF VICTIMS AND SURVIVORS.**—In determining the root causes of these recurring and tragic incidents of mass violence, the Commission shall, in accordance with section 404(a), take the testimony of victims and survivors to learn and memorialize their views and experiences regarding such incidents of mass violence.

(b) **RECOMMENDATIONS.**—Based on the findings of the study required under subsection (a), the Commission shall make recommendations to the President and Congress to address the causes of these recurring and tragic incidents of mass violence and to reduce such incidents of mass violence.

(c) **REPORTS.**—